

**FLOOD CONTROL ADVISORY BOARD
MINUTES**

September 26, 2001

The monthly meeting of the Flood Control Advisory Board was called to order by Chairman Patel at 2:00 p.m. on Wednesday, September 26, 2001.

Board Members Present: Hemant Patel, Chairman; Shirley Long, Vice Chair; Melvin Martin; Scott Ward; Hasan Mushtaq (for Tom Callow), Ex Officio; Paul Cherrington, Ex Officio.

Board Members Absent: Mike Saager, Secretary.

Staff Members Present: Michael S. Ellegood, Chief Engineer & General Manager; Julie Lemmon, General Counsel; Dick Perreault, CIP/Policy Branch Manager; Scott Vogel, Project Manager; Don Rerick, Project Management Branch Manager; Mike Towers, Construction Project Manager; Michael Alexander, Management Analyst; Joe Munoz, Public Information Office; Paul Stears, Project Manager; Kathy Smith, Clerk of the FCAB; Monica Ortiz, Administrative Coordinator.

Guests Present: Kofi Awumah, Huitt-Zollars; Roger Baele, David Evans & Assoc.; Burton Charron, City of Peoria; Margaret Daleo, RVHA; Bil Haas, Primatech; Tim Morrison, HDR Engineering; Everett Raines, RVHA; Mary Reece, Bureau of Reclamation; John Reilly, RVHA.

1) APPROVAL OF THE MINUTES OF THE MEETING OF AUGUST 22, 2001

ACTION: It was moved by Mr. Martin and seconded by Mr. Cherrington to approve the minutes as submitted. The motion carried unanimously.

2) SKUNK CREEK & ARIZONA CANAL DIVERSION CHANNEL

Mr. Ellegood asked that this item be tabled due to ongoing negotiations between the Flood Control District and the City of Peoria.

ACTION: It was moved by Mr. Martin that this item be tabled until the December meeting. Ms. Long seconded the motion and it carried unanimously.

3) BETHANY HOME OUTFALL CHANNEL (BHOC) PROJECT, PHASE II

Scott Vogel, Project Manager, presented information on the current status of the Bethany Home Outfall Channel Project.

The purpose of this project is to correct three main flooding problems in the Maryvale area with regards to the Grand Canal. The first problem is the flood water ponding behind the Grand Canal. There is a FEMA delineated 100-year floodplain with about 750 homes in the floodplain and in addition, several thousand structures could be threatened in a major storm event. The second problem is that floodwaters have historically overtopped the Grand Canal once they ponded against the canal banks and exceeded what the canal banks can hold. The third is a need for a storm drain system for the downtown Glendale area.

Resolutions are in place for the project authorizing negotiations of IGA's and design and rights-of-way acquisition. The IGA for design and rights-of-way acquisition was approved last September. The next step is an IGA with the project partners on construction, operation and maintenance of the outfall channel and Camelback Road storm drain portions.

ACTION: No action was required – for information and discussion only.

4) TOWN OF GUADALUPE DRAINAGE IMPROVEMENT PROJECT

Don Rerick, Project Management Branch Manager, presented an update on the Drainage Improvement Project in the Town of Guadalupe.

This project began in the mid-1990's when the Town requested that the Flood Control District analyze the drainage patterns in the Town and help them identify solutions to their drainage problems. Three separate IGA's were approved, respectively, with the City of Tempe, the Salt River Project and the Town of Guadalupe to implement a 100-year design-based project. As the project evolved, it was determined that a solution other than a 100-year design was the most appropriate means to solve these problems and address concerns that both SRP and the Town had. All three IGA's were amended, authorizing that the project be designed as a 10-year Basin and Storm Drain System.

This project has been solely the responsibility of the District to design, construct, acquire rights-of-way, relocate utilities, and fund all those activities. The Town will own, operate and maintain the completed project and has taken ownership of some of the project costs as it relates to the enhanced landscaping and recreation amenities for the basins. There may be some funding in part of the North Basin by the Diamondbacks Charity to construct a Little League Baseball Diamond.

Discussion:

Patel: Weren't there going to be some lift stations on this project?

Rerick: Originally there were to be a couple of pump stations to drain the basins. We discovered during the evolution of the project that we have an existing SRP facility in Guadalupe Road that will allow us to gravity drain the central basin. After discussions with ADEQ, we will now be utilizing dry wells to drain the south basin.

Patel: Will the excess land eventually get developed and possibly box us in if we do need to go with a 100-year solution in the future?

Rerick: The excess land will be auctioned off per our property management requirements, which is typically we wait until project completion to declare land excess, then through the public

auction process the land is offered for sale. The Town has the first rights to obtain that property, if they are obtaining it for public use purposes. Because of the redesign of the project, it is not expected that there will be a need to expand to a 100-year solution. The 10-year system provides a significant backbone and outlet for the Town that they don't have now and it's expected that is as far as our role in the project will go.

Patel: Has the Town expressed an interest in acquiring the property?

Rerick: They have, especially the excess property in the south basin. They have talked with our property management branch, and apparently they have some self help housing programs that they would like to site at that location.

Ward: I've been very impressed through my small tenure on the Advisory Board on how the Maricopa County Flood Control District has improved these retention and detention basins. I'm a real estate broker & developer and I've told Mike and the rest of his staff that turning these basins into athletic fields, turf areas, or walking paths is great – anything to make them more aesthetically pleasing. I'm just very impressed at the process you've gone through to enhance these areas and I'm very pleased with this project. Secondly, I think you've done everything possible to increase the value of that additional land and by turning those into active amenities, not only to the public sector, but also for the private community where there would be interested parties that would want to buy those sites.

Rerick: We think with the involvement of the Town, we've made a very diligent effort with our Project Aesthetic Advisory Committee (PAAC) process and that these are going to be terrific amenities.

Ward: I don't think that a lot of times the Maricopa County Board of Supervisors are cognizant of this type of activity. They look at the flood control issues and the dollars and cents. It might be worthwhile sometime, Mike, to put on a 5-10 minute slide show to really come in and show the usefulness of the flood control safety measures as well as how you've enhanced these basins for the goodwill. This is really good work.

Ellegood: I appreciate the remarks. This has been a major objective of mine and the District's over the last several years to try to build a kinder and gentler approach to flood control, which we are slowly succeeding at. I like your suggestion of perhaps presenting some of this dated information to our Board of Directors. I know that individual members of the Board are familiar with projects in their district, but we have not put it all together to show them what we are doing throughout all the districts. That's a very good suggestion and it really ties in closely to one of the remarks that that I will be making shortly.

Cherrington: As one who has participated in the project, maybe even been part of the problem with the 100-year design problem, I'd like to compliment staff on their flexibility and taking another look from the 100-year to the 10-year. I think the result you've come up with is an improvement even though it protects for a smaller storm. It's a better project for all involved.

Ellegood: Thank you. Certainly the difficulties we ran into relative to operations and your ability to get in and do things, that sort of interference that ultimately came together at the end did cause us to take another look at the project and I think it's a better project today. I think we all agree with that. It was collaborative with the Salt River Project, the Town of Guadalupe, and us.

Martin: How many acres did we buy in there?

Rerick: I think it was 25 acres; we'll have about 8.5 acres excess.

ACTION: No action was required – for information and discussion only.

5) GLENDALE/PEORIA ADMP

Mike Towers, Construction Project Manager, presented an update on the Glendale/Peoria Area Drainage Master Plan, which is the first ADMP implemented by the Flood Control District.

At the time of the study, the problem was the approaching urbanization of the Glendale/Peoria area and the lack of drainage infrastructure in that area. The run-off was increasing and the District and the cities needed to do something to control the flows and reduce damage to property.

The study area included the City of Glendale, the City of Peoria and contributing drainages. The results of the ADMP study identified approximately \$20 million in recommended projects to resolve storm drainage issues. It was determined that a joint project between all the participants could generate significant cost savings. The final cost of the completed projects was \$35 million. The differences in cost are explained by 15-18 years of inflation, and additional project features to support transportation improvements. If the \$20 million cost was increased to today's value, which is about \$26 million, that leaves \$9 million left over, which was due to changes in the alternatives as they were reviewed and selected with the cities and other partners.

ACTION: No action was required – for information and discussion only.

6) BOARD SUCCESSION AND OFFICER CANDIDATES

Mike Ellegood, Chief Engineer & General Manager, reminded the Board that in the Fall of each year the Advisory Board goes through a process to nominate and elect a slate of officers for the next year. Typically the current Vice Chairman would step into the Chairman position for the coming year. Ms. Long has been reappointed to another term, but she has indicated that while she is delighted to serve again on the Board, she felt that she could not devote the time necessary to be the most effective Chairman. Ms. Long requested that she not be considered for next year's Chairman. Mr. Saager is the current Secretary, but has had some personal health related issues that have made it difficult for him to attend as many meetings as he would have liked. Because of that, Mr. Ellegood didn't think it would be appropriate to suggest that Mr. Saager be Chairman next year. In discussions with members of the staff, a suggestion was made that the Board consider asking Mr. Patel to serve another year as Chairman and that a Vice Chair be selected who would then serve as Board Chairman, taking office in the Fall of 2002. Several staff members suggested that Mr. Ward be asked to take the position of Vice Chair. Mr. Ellegood mentioned that Mr. Martin is also available. Mr. Patel indicated that he is available and does not have a problem carrying on for another year. Mr. Ward asked if he and Mr. Patel could meet this week to discuss this and get back to Mr. Ellegood with their recommendation.

ACTION: No action was required – for information and discussion only.

7) COMMENTS FROM THE CHIEF ENGINEER & GENERAL MANAGER

Mike Ellegood mentioned again that he had the privilege on August 6 to make a presentation to the County Board of Supervisors and our Board of Directors at which time he projected the District's funding needs for the next five years. Ms. Long represented the Advisory Board in Mr. Patel's absence, substantiating the District's request of a one-cent increase in the Secondary Tax Rate in 2002 and maintaining that taxation rate constant over the succeeding five years. Mr. Ellegood mentioned that the Board did not make a decision at that meeting; clearly that request would be folded up into the usual budget discussions. Subsequently, the District has had several joint meetings with the Board of Directors and representatives from other departments in which each of them have project their own increased funding needs in the future. Although nothing official has come down on this, there is a state-wide funding shortfall, and one of the alternatives suggested by the State is that they reduce the revenue shares to cities and counties in the next few

years. This would have a substantial impact, not only on the District's operation in the County, but an even greater impact on the cities. Mr. Ellegood indicated that we are headed for a difficult period of time relative to funding. He stated that it may come to the point where he will need to ask that the Board members take a hard look at the District's internal operations and perhaps endorse the District's request for an additional one-cent with their respective supervisor. Whatever happens in the months and years to come, it will mean a significant change in how we can fund our projects and how we continue to operate.

Discussion:

Martin: Did you feel that you had some opposition to that with the Supervisors?

Ellegood: I sense that this will be caught up in a variety of priorities and that the Board of Supervisors will have to make choices, all of them relatively difficult, involving either raising the Secondary Tax Rate, not funding projects, or funding the Flood Control District seemingly at the expense of funding other construction around the County. I believe the penny will allow the District to operate prudently and in a way that will allow us to meet our commitments and needs.

Mr. Ellegood mentioned that he had a meeting with one of the members of the Board of Directors who outlined a personal thought that the District needs to change their philosophy somewhat. Instead of achieving the highest return on taxpayer dollars when it comes time to dispose of excess property, that should be a third or fourth priority and the second priority, other than flood control, should be retention of open space and park facilities. Mr. Ellegood asked the District's General Counsel to draft a Board Agenda Item so that it could be brought up and discussed among all members of the Board. Mr. Ellegood's intent is to make this presentation to the Advisory Board at the October meeting. He emphasized that the District has always attempted to balance the need for recreation and open space with the District's statutory direction. The direction previously given to the District by the Board of Directors has been to maximize the return on the taxpayer's investment by selling excess property to the highest bidder. Mr. Ellegood indicated that he's not certain yet what the impacts on the District's operation might be, but certainly it will have some impact on revenue.

Discussion:

Martin: When you bring that forward, will you have the percentage of the budget that you obtain by selling surplus property?

Ellegood: We will. I think that so far we've earned \$8 million this past year, which is probably 10% of our budget. This would not eliminate the sale of property, but it might have a different impact on how we dispose of property.

Patel: Also, do you have a feel for how much inventory we have? I think we were sitting on some of our property for quite a while.

Ellegood: We can provide projections of our inventory, projected sales of real property, projected revenues, and probably a recognition of those areas we think may be more desirable for retention as open space.

Patel: Will this in any way affect the item that we tabled with Peoria?

Ellegood: They are related but they are independent. If a new philosophy had been in place, it would have had an affect on our negotiations.

8) SUMMARY OF RECENT ACTIONS

Actions of the Board of Supervisors were included in the FCAB packet. Mr. Ellegood mentioned that there is some discussion at the Board about whether they wish to consider the Doubletree Ranch Road Project, which this Board voted down twice. Funding for the Project has been reallocated, so funds would have to be found elsewhere.

Mr. Patel asked if, with the heightened interest in security, the District would get drawn into the State level task force in terms of providing additional security at dams, etc. Mr. Ellegood advised the Board that on September 11 the County activated their Emergency Operations Center about 9:30 a.m. (local time) and the District was tasked to provide on-sight inspections of all of our dam facilities. Crews were dispatched to each of the dams and there was a complete report in by 5:30 p.m. with nothing unusual sighted. Mr. Ellegood informed the Board that he has asked the District's Engineering Division to redo the dam break analyses and to develop an algorithm that will allow a reasonably accurate projection of flooded areas given any particular amount of reservoir capacity. For example, Roosevelt Dam is at 25% and the impact of a major dam break at Roosevelt at 25% capacity would be different than it would be if it were full. Mr. Ellegood believes that this data does need to be available in such a fashion that predictions can be quickly made. District staff has looked at all their dams, including the Central Arizona Project. Risk to the public on anything related to the Flood Control District is not very high.

Discussion:

Martin: Is this going to affect any projects that the Army Corps of Engineers is working on?

Ellegood: It's too early to tell. Clearly, the most obvious impact is that the funding may be lost. I would not be surprised because of other national priorities that funding for certain of these projects might be deferred.

Patel: What is the protocol? Does the District have to provide security for inspecting these facilities or is that a need that is referred to the Sheriff's Office?

Ellegood: We are responsible for the operation, maintenance, and security of our dams. If we feel that we have a security issue, we typically call on the jurisdiction that it's in. If it's in unincorporated County, then we'll call in the Sheriff.

Patel: So we have the personnel that could do all this or are these going to be added costs for the District?

Ellegood: We have the personnel. We do not think it will be a significant additional cost. These personnel are not armed guards, they are maintenance personnel, but they are trained and know the structures quite well. I don't think that level of additional oversight is going to create significant financial burden to us. Clearly, if rules come out that say we've got to do certain things like man all of our structures 24 hours a day, then certainly that would be an additional expense. Based on what we know and what we consider the threat to our structures to be, we think we can handle any increased oversight within our existing resources.

9) OTHER BUSINESS AND COMMENTS FROM THE PUBLIC

There was no other business or comments from the public.

The meeting was adjourned at 3:02 p.m. by general consent.

Mike Saager
Secretary of the Board

Kathy Smith
Clerk of the Board